

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.373 of 2019

Arising Out of PS. Case No.-825 Year-2018 Thana- FORBESGANJ District- Araria

Md. Guddu S/O Md Akhtar, residents of village-Jhiruwa East, P.S- Simraha,
Distt. Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 30-01-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Special Case No. 1338 of 2018, arising out of Forbesganj (Simraha) P.S. Case No. 825 of 2018 dated 26.10.2018 instituted for the offences under Sections 30(a)/38(i) of the Bihar Prohibition and Excise Act, 2016.

800 bottles containing 100 ml each of cough syrup is said to have been recovered from a vehicle which was found parked outside the house of the petitioner.

Learned counsel for the petitioner has submitted that the vehicle was parked outside of his house without any enclosure. This, therefore means that



the recovery was made from a vehicle but not from the constructive possession of the petitioner. The petitioner has categorically denied the ownership of the vehicle from where the recovery has been made. The petitioner has clean antecedents.

Considering the aforesaid facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Forbesganj (Simraha) P.S. Case No. 825 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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